

REMARKS

Claims 1-13 are pending in the application; the status of the claims is as follows:

Claim 13 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claims 1-4, 7, and 9-11 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,790,193 to Ohmori (“Ohmori”).

Claims 8 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohmori.

Claims 5, 6, and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohmori in view of U.S. Patent No. 6,686,958 B1 to Watanabe et al (“Watanabe et al”).

The acknowledgment, in the Office Action, of a claim for foreign priority under 35 U.S.C. § 119(a)-(d), is acknowledged with appreciation. However, the allegation that the certified copy of the priority document has not been received, is respectfully traversed as being contrary to fact. Submitted herewith is a Proof of Submission of Certified Copy of Priority Document, which is provided to overcome the allegation. Reconsideration and withdrawal of the allegation is respectfully requested.

To date, no Notice of Draftsperson’s Patent Drawing Review has been received. Applicants respectfully request receipt of this document when it becomes available. Please note that the original drawings filed in the patent application are "formal" drawings.

The objection to the title of the invention as not being descriptive is noted and a new title is presented in this Amendment which is clearly indicative of the invention to

which the claims are directed. Accordingly, reconsideration and withdrawal of the objection is respectfully requested.

Claims 1, 2, 7-9, and 13 have been amended to correct matters of form. These changes do not introduce any new matter.

35 U.S.C. § 112 Rejection

The rejection of claim 13 under the second paragraph of 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention, is respectfully traversed. Claim 13 has been amended to improve the form thereof. The amendment clarifies that claim 13 reads on both Fig. 19 and Fig. 20 depending on what rule is specified for ordering the images from the multiple storage media. For example, if a rule ordering the images by storage media is selected claim 13 reads on Fig. 19. However, if a rule ordering the images by the time at which the image was taken, then claim 13 reads on claim 20. It is respectfully submitted that the amendment overcomes the rejection of claim 13 under 35 U.S.C. § 112, accordingly, it is requested that the rejection be reconsidered and withdrawn.

35 U.S.C. § 102(b) Rejection

The rejections of claims 1-4, 7, and 9-11 under 35 U.S.C. § 102(b) as being anticipated by Ohmori are respectfully traversed because the cited reference fails to disclose every element of the rejected claims. The present invention is directed to a digital camera having multiple storage media, and a display for showing images stored on the media. Unlike prior art devices, the disclosed camera displays the identity of the card on which the displayed image is stored.

Ohmori discloses an accessory module that connects to a digital camera. The accessory module includes an internal image memory, a slot for accepting a memory card and a display for displaying images captured by the camera. A display controller reads an

image from the internal memory or the memory card and displays it on the display. It is alleged at page 3 of the Office Action that “accessory module 10 is a part of digital camera 12 since it is used as a display monitor for picture taking,” and that “memory card 40 provides controller 82 via memory card controller 86 type of the card and its capacity so that information can be displayed on display 28 to inform the type and capacity of the memory card, col. 5, lines 27-40.”

It is respectfully submitted that the allegations are incorrect. Ohmori’s accessory module, by its very nature, is not a part of digital camera 12. Taken as a whole, Ohmori clearly teaches an accessory for use with a digital camera. The fact that accessory module 12 may be used as a display monitor while taking pictures is immaterial to whether it is ‘part of’ camera 12. Indeed, digital camera 12 is capable of taking pictures without accessory module 10. Accordingly, accessory module 10 is not a part of digital camera 12, as alleged.

Moreover, Ohmori does not disclose that when an image is displayed the identification of the memory card the image was read from is also displayed. The passage cited in the Office Action merely states that when copying images from the image memory 84 to accessory card 40, the memory card provides controller 86 with the type of memory card and its capacity. Ohmori fails to provide any disclosure that any of the memory card information is displayed. Accordingly, Ohmori fails to disclose a digital camera that displays an image and an identification of the recording medium from which the image data was read.

Therefore, with respect to claim 1, Ohmori fails to disclose “a digital camera comprising . . . a reader that can read image data from two or more recording media; a display . . . ; and a display controller” Ohmori also fails to disclose “a digital camera comprising . . . a display controller which causes said display to display information that specifies the recording medium from which the image data was read as well as the image based on the image data.” Accordingly, claim 1 distinguishes over Ohmori.

With respect to claim 2, which depends from claim 1, it is respectfully submitted that claim 2 distinguishes Ohmori for at least the same reasons as provided in respect of claim 1. Moreover, it is respectfully submitted that the ‘type’ of the card module is not equivalent to a ‘name assigned to the recording medium’ as claimed. Accordingly, Ohmori cannot anticipate claim 2.

With respect to claim 3, which depends from claim 1, it is respectfully submitted that this claim distinguishes Ohmori for at least the same reasons as provided in respect of claim 1.

With respect to claim 4, it is respectfully submitted that this claim distinguishes Ohmori for at least the same reasons as provided in respect of claims 1 and 3. Moreover, it is respectfully submitted that the ‘type’ of the card module is not equivalent to a ‘name assigned to the recording medium’ as claimed. As to the allegation that Ohmori’s accessory module ‘inherently’ displays card slot information with each image, it is respectfully submitted that the allegation is incorrect. The fact that a feature may be present is not sufficient to establish that the feature is inherent. MPEP 2112 IV and MPEP 2163.07(a). Ohmori is silent as to whether anything other than an image is shown on display 28. Therefore, camera 12 does not inherently display card slot information. Accordingly, Ohmori cannot anticipate claim 4.

With respect to claim 7, it is respectfully submitted that Ohmori does not disclose a “digital camera comprising . . . a reader that can read image data from two or more recording media; a display . . . ; and a display controller” Ohmori is silent as to ordering displayed images according to a rule. Therefore, Ohmori fails to disclose that the images are handled “in sequence based on a user specified rule.” Accordingly, claim 7 distinguishes Ohmori.

With respect to claim 9, it is respectfully submitted that it distinguishes Ohmori for at least the same reasons as applied above in respect of claim 7. Moreover, Ohmori does not disclose that the images from two or more recording media are displayed in sequence

based on the order of the recording media. Indeed, Ohmori is silent as to the order the images on two storage media would be displayed. Accordingly, Ohmori cannot anticipate claim 9.

With respect to claim 10, it is respectfully submitted that it distinguishes Ohmori for at least the same reasons as applied above in respect of claim 7, from which claim 10 depends. Ohmori also fails to disclose “a digital camera comprising … a display controller which causes said display to display information that specifies the recording medium from which the image data was read as well as the image based on the image data,” as described above in respect of claim 1. Accordingly, claim 10 distinguishes over Ohmori.

With respect to claim 11, it is respectfully submitted that Ohmori fails to disclose a camera in which an image is displayed incorporating both captured image data and information about the storage media upon which the captured image data is stored. Therefore, Ohmori does not disclose “displaying an image based on the image data and the information that specifies the recording medium from which the image data was read,” and cannot anticipate claim 11.

Accordingly, it is respectfully requested that the rejection of claims 1-4, 7, and 9-11 under 35 U.S.C. § 102(b) as being anticipated by Ohmori, be reconsidered and withdrawn.

35 U.S.C. § 103(a) Rejections

The rejection of claims 8 and 13 under 35 U.S.C. § 103(a), as being unpatentable over Ohmori, is respectfully traversed based on the following.

With respect to the Official Notice, taken at page 7, that a digital camera can display record image data from a memory in accordance with recording times, it is respectfully submitted that displaying images in the order of their location in a memory

card is not the same as displaying the images in the order of their recording time. While the two orders may be the same by happenstance, displaying images in an order based on their recording times necessarily implies that the recording times must be compared with one another to determine their ordering. It is therefore requested that a reference be provided to support the Official Notice.

With respect to claim 8, it is respectfully submitted that Ohmori does not disclose that the images from two or more recording media are displayed in sequence based on their recording times. Indeed, Ohmori is silent as to the order the images on two or more storage media would be displayed in the event that the recording times of images on a first recording media are interleaved with the recording times of images on another storage media. Accordingly, Ohmori cannot render claim 8 obvious.

With respect to claim 13, it is respectfully submitted that Ohmori does not disclose that the images may be displayed in a sequence according to a specified ordering rule. Therefore, Ohmori fails to disclose “specifying a rule for ordering a plurality of items of image data stored in two or more recording media, the ordering defining a sequence . . . ,” and “displaying a next item of image data in accordance with said sequence when the next image is designated, and displaying a prior item of image data in accordance with said sequence when the prior image is designated.” Accordingly, claim 13 distinguishes over Ohmori.

Accordingly, it is respectfully requested that the rejection of claims 8 and 13 under 35 U.S.C. § 103(a) as being unpatentable over Ohmori, be reconsidered and withdrawn.

The rejection of claims 5, 6, and 12 under 35 U.S.C. § 103(a), as being unpatentable over Ohmori in view of Watanabe et al, is respectfully traversed because the references fail to teach or suggest the features of the rejected claims.

With respect to claim 5, it is respectfully submitted that the combination of Ohmori and Watanabe fails to teach, suggest, or otherwise disclose a camera that simultaneously

displays two images from two different recording media. Ohmori teaches an accessory module that displays one image at a time from a storage media and is silent as to the display of multiple images from multiple storage media. As discussed above in respect of claim 1, accessory module 10 is not a part of camera 12. Watanabe teaches pickup unit 1, which lacks a display (column 4, line 61), may be connected to separate computer 2. Computer 2 displays images from its internal storage in window 34. If a user ‘clicks’ on icon 38, representing pickup unit 1, computer 2 displays images from pickup unit 1 in window 39. However, digital cameras typically have relatively low resolution displays, thereby making it impractical to display multiple windows. Taking each reference as a whole, it is therefore unclear as to how they may be combined to achieve the claimed device. At best, the combination of Ohmori and Watanabe teaches using a separate computer or device for displaying images, in which images from different devices are displayed in separate windows. Thus, the proposed combination of Ohmori and Watanabe fails to disclose a “digital camera comprising . . . a display . . . ; and a display controller which causes said display to display essentially simultaneously a first image based on the image data read from the first recording medium and a second image based on the image data read from the second recording medium.”

With respect to claim 6, it is respectfully submitted that this claim depends from claim 5 and distinguishes over Ohmori and Watanabe for at least the same reasons as provided in respect of claim 5. Moreover, assuming *arguendo* that the combination taught a digital camera that displayed two images each from a separate recording medium, neither Ohmori nor Watanabe disclose, teach, or otherwise suggest that information about which medium each image came from is displayed with the image. Therefore, the combination of Ohmori and Watanabe fails to disclose that “said display controller causes said display to display the information that specifies the first recording medium in a manner such that it is associated with the first image, and causes said display to display the information that specifies the second recording medium in a manner such that it is associated with the second image.”

With respect to claim 12, it is respectfully submitted that for at least the same reasons as provided above in respect of claim 5, the combination of Ohmori and Watanabe fails to disclose, teach, or suggest a method of displaying images from different storage media comprising “displaying the first image based on the image data read from the first recording medium and the second image based on the image data read from the second recording medium, essentially simultaneously.”

Accordingly, it is respectfully requested that the rejection of claims 5, 6, and 12 under 35 U.S.C. § 103(a) as being unpatentable over Ohmori in view of Watanabe et al, be reconsidered and withdrawn.

CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

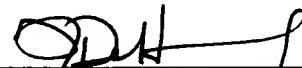
Any fee required by this document other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Application No. 09/735,751
Amendment dated September 3, 2004
Reply to Office Action of April 5, 2004

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

By: 
Michael J. DeHaemer
Registration No. 39,164
Attorney for Applicants

MJD/lb:bar
SIDLEY AUSTIN BROWN & WOOD LLP
717 N. Harwood, Suite 3400
Dallas, Texas 75201
Direct: (214) 981-3335
Main: (214) 981-3300
Facsimile: (214) 981-3400
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